REMARKS/ARGUMENTS

In response to the Office Action, independent method Claim 7 has been canceled and replaced by new Claim 13 which is narrower in scope than Claim 7 and is believed to patentably distinguish over the two prior art references cited by the Examiner. Specifically, Claim 13 sets forth with more particularity the steps of the inventive method and it is submitted that the combination method of steps is not found in Jean Henry-Labordere and Joong et al even if combined.

Jean Henry-Labordere discloses a method for handling short messages under phone number portability between several communication networks where the phone numbers do not permit an unambiguous linkage of the user to a specific telecommunication network. A computer interrogates all of the HLRs of the country in which the number portability system is operated and a very large cache memory is provided which stores routing information of all the mobile subscribers in the country in which the portability procedure is functional so that it will know which HLR to interrogate without searching once it has found the respective HLR the first time. The cache memory is initially empty and is progressively built by HLR searches performed whenever a subscriber is not yet registered in the cache memory or the subscriber has changed subscriber networks. As can be appreciated, this method requires very large storage capacity and maintenance for thousands of entries in the SMSC.

In contrast to Jean Henry-Labordere, the invention as presently claimed temporarily stores the short message and parameters or data for delivery in an SMSC in order to be reused, at least in part, in subsequent attempts at delivery. If the short message is successfully delivered, either after the first attempt at delivery or subsequent attempts, the short message including the parameters or data for delivery is erased. Thus, the parameters and data for delivery do not require any storage capacity and maintenance so that the data storage and maintenance requirements of Jean Henry-Labordere are not required.

The subject matter of Claim 13 also differs from Jean Henry-Labordere in that there is no need for either interrogating the various HLRs or carrying out a memory search as is described by Jean Henry-Labordere in paragraph 17.

Claim 14 includes the limitations of Claim 13 and claims with more particularity the steps undertaken when performing the first attempt at delivery, including transferring the short message and parameters or data to an MNP-SRF network element, and further when performing subsequent attempts at delivery bypassing the MNP-SRF network element and

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interrogating the HLR directly. Claim 12 has been amended to include a plurality of means plus function elements closely tracking amended Claim 13.

The Examiner acknowledges that Jean Henry-Labordere does not teach erasing the short message and parameters or data if the short message is delivered successfully. The Examiner relies on Joong et al and extracts from this reference the disclosed step of erasing the message or message data from a home message center once the message has been successfully delivered. However, the method of Joong et al and the procedure of delivering a message are quite different from the claimed subject matter of the present application, namely, a way to efficiently store and utilize routing information whereby the information is temporarily stored, utilized and in subsequent attempts for delivery enabling the HLR to be interrogated directly and then erased once delivery has been successful.

There is no suggestion or incentive to combine the method step extracted from Joong et al with the method of Jean Henry-Labordere because Jean Henry-Labordere specifically discloses a large cache which is built up over time as HLR searches are performed. Clearly, Jean Henry-Labordere teaches away from replacing this large cache and the method of populating it with a much smaller SMC memory that temporarily stores specific messages/parameters or data for delivery and which is erased each time a delivery is successful. Furthermore, the context of the process from which the method step of Joong et al is so different from that of Jean Henry-Labordere and the present invention that it certainly would not be obvious to make the substitution.

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It is submitted that the amended claims clearly define over Jean Henry-Labordere and Joong et al and it is requested that the Examiner pass the application to issue. However, if further issues remain, it is requested that the Examiner telephone the undersigned at 260-460-1692.

Respectfully submitted,

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